GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Revenue (Endowments) Department – Regularisation of land to an extent of Ac.27.39 cts in Sy.No.23, 24, 27/1 & 28/2 situated at Varadarajanagar, Tirupathi Town, Chittoor District belongs to Sri Galigopuram Mutt, Tirupathi in favour of residents of the said land on payment of 1981 rates with simple interest @ 12% per annum – Orders – Issued.

REVENUE (ENDOWMENTS.II) DEPARTMENT

G.O.MS.No. 148 Dated: 14-02-2019,
Read the following

1. Representation dt.30-11-2015 from residents of Varadarajanagar, Tirupati.
2. Endt.No.13183/CSP/2015, dated 01-12-2015 of the Chief Secretary, AP, Hyderabad.
3. Letter No.M1/31413/2014, dated 30-01-2016 from the Commissioner of Endowments, AP.
4. Letters from the Hon'ble MLA, Tirupati dt. 25-06-2018 & 24-07-2018.
5. Representation from the Secretary, Varadarajanagar Welfare and Development Society (Regd.No.44/2015), Varadarajanagar, K.T.Road, Tirupati dt. 26-07-2018
6. Govt Memo No.37022/61/2018, dt.20-09-2018 & 12-12-2018.
7. Letter Rc.No.M1/19027 (42)/11/2018, dt. 28-09-2018 from the Commissioner of Endowments and further notes in E-file dt. 18-11-2018.
8. Council Resolution No.130/2019, dated 31-01-2019.

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ORDER:

In the reference first read above, the residents of Varadarajanagar of Tirupathi have submitted a representation to the then Chief Secretary to Government requesting to withdraw the notices issued to them by the Fit Person of Sri Galigopuram Mutt, Tirupathi, Chittoor District and not to interfere with their possession of land. The Mutt was under the private management and managed by Mahanth Ramacharan Dasji.

2. The Commissioner, Endowments Department has submitted a report stating that Sri Galigopuram Mutt (Vaikunta Koil), Tirupathi was established in the year 1413 at Tirupathi and Sri Raja Malla Anantha Devarayulu had endowed land for an extent of Ac189.30 acres including the land for an extent of 27.39 cts in Sy.No's 23, 24, 27/1 and 28/2 at Varadarajanagar, Tirupati Town, Chittor District to the Mutt for its maintenance. The main objects of the Mutt is to provide food and shelter to the pilgrims who are visiting Tirumala uphill through steps.

3. Based on the petition U/s 77 of the Repealed Act 17/66 of Sri Bankatlal Joshi alias Venkatalal Joshi, the Deputy Commissioner, Endowments Dept, Guntur has decided that Sri Gali Gopuram Mutt (alias Vaikunta Koil) is a public religious institution within the meaning of 2(22) of A.P., Act 17/1966 vide orders dated 13-8-1984. Aggrieved by the said orders Santh Ramacharan Dosji filed an appeal in O.S.No.3/84 in the District Court to declare the Mutt as private and to set-aside the orders issued in O.A.No.66/84, dated 13.08.1984 issued by the Dy. Commissioner, Endowments Dept, Guntur as illegal etc. The said suit was dismissed on 31.8.1994 declaring Sri Gali Gopuram Mutt and the properties owned by it as religious Endowments.

4 As Sri Santh Ramcharan Dossji did not prefer any appeal against the judgment in O.S. No.2/ 87, the judgment in O.S. No.2/ 87 become final and the Mutt has become a Public Mutt under the provisions of A.P. Endowments Act. Fit person was appointed by the Endowments Department to manage the affairs of the Mutt.

5. The Residents of Varadarajanagar, Tirupati had purchased the House Plots in T.S.No.23, 24, 27/1 and 28/2 of Tirupati Town from Sri Sant Ramacharan Dossji of Galigopurm Mutt during the year 1981-82 and they have registered the sale deeds.

(P.T.O)

They have also constructed pucca houses on the above plots. All these persons were treated as encroachers. The Fit Person has issued notices to the residents of Varadarajanagar, Tirupati to remove their encroachments from Mutt lands as it is a public mutt under the provisions of AP Endowments Act.

6. The residents of Varadarajanagar have submitted representation vide references first and fifth read above to withdraw the said notices issued by the Fit Person, Galigopuram Mutt, Tirupati and letters given by Endowments Department restraining the registration by the Sub-Registrar, Tirupati & restraining the building approvals by the Commissioner, Municipal Corporation, Tirupati and solve their problems permanently.

7. The Commissioner of Endowments vide references 3rd and 7th read above while submitting the brief facts of the case along with basic values of the subject lands from the year 1980-81 to 2018., has requested the Government to take a decision to regularise the encroachments of the lands in favour of the occupants of Varadarajanagar, Tirupati subject to obtain permission from Hon'ble High Court in view of interim orders of Hon'ble High Court passed in WP MP No.15055/2005 in WP No.11812/2005 dated 07-06-2005 and 22-11-2005.

8. As per the provisio to the section 80(1) of the Endowments Act 1987 (Act 30/87), Government may, in the interest of the institution or endowment for reasons to be recorded therefor in writing permit the sale of such immovable property otherwise than public auction.

9. Government after careful examination of the matter have decided to permit the Commissioner, Endowments to regularise the encroachments to an extent of Ac.27.39 cts situated in Sy.No.23, 24, 27/1 & 28/2 at Varadarajanagar, Tirupathi Town, Chittoor District belongs to Sri Galigopuram Mutt, Tirupathi in favour of the residents of Varadarajanagar, Tirupathi at Rs.40,000/- per acre which is 1981 rates (when they purchased the lands from the Mutt) with payment of simple interest @ 12% per annum subject to obtaining permission from the Hon'ble High Court of Andhra Pradesh.

10. The Commissioner, Endowments Dept, AP, Vijayawada is directed to take necessary action for obtaining permission from the Hon'ble High Court of AP for regularisation of encroached lands and take further action in the matter only after receiving permission of Hon'ble High Court of Andhra Pradesh.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner, Endowments Department, AP, Vijayawada.
The Secretary, Varadarajanagar Welfare & Development Society, Tirupati (through proper channel)

Copy to:
The PS to Prl.Secy to C.M
The PS to Spl.CS, Revenue (Endts) Dept,
The Law Department
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER